

From: [Moore, Gary](#)
To: [Mueller, Brian](#); [Moran, Gloria](#); [Werner, Robert](#)
Subject: Fwd: Falcon Refinery - Progress Update
Date: Thursday, September 08, 2016 7:40:33 AM

Sent from my iPhone

Begin forwarded message:

From: Steve Wilson <swilsonwse@gmail.com>
Date: September 8, 2016 at 6:40:30 AM CDT
To: "Moore, Gary" <Moore.Gary@epa.gov>
Cc: Jonathan Carroll <jcarroll@lazarusenergy.com>
Subject: Re: Falcon Refinery - Progress Update

Gary

We have done the following: 1. Cleared additional piping, 2. Continual to build fence to secure tanks, 3. Meet with Troy Steel on the Demo and Cleaning of Tank 7, They are mobilizing equipment to start next week ripping down the tank and lifting the roof so we can clean the tank bottoms. Additionally we are making arrangements for boxes to be positioned at Tank 7 to receive material. It is the intent to have Troy Steel to stay on site after Tank 7 is finished to start removing piping that has been cleared that is too thin to use elsewhere.4, We plan to treat water from tank 13 and remove oil from the water while transferring to tank 12. Water in Tank 12 will be treated with bugs and Air/Hydrogen Peroxide.5. We will then to proceed to clean Tank 13 of the small remaining oil.

I hope this give you the needed update you need at this time.

Steve

On Thu, Sep 8, 2016 at 5:55 AM, Moore, Gary <Moore.Gary@epa.gov> wrote:
Steve/Jonathan:

I will be giving my management an update on progress this morning. I have made a request for weekly emails and monthly reports to document your progress but you continue to disregard my emails. I continue to let them know that it is in our benefit to allow you to complete the work. Your failure to communicate with me makes me question this decision. This meeting may result in the decision to find you in default. The consequences will be EPA completing the removal action and you paying the costs along with our overhead which is about 50%.

Failure of you to provide consistent updates to EPA is detrimental to your success.

Thanks
Gary Moore

Sent from my iPhone

On Sep 5, 2016, at 6:29 PM, Moore, Gary <Moore.Gary@epa.gov> wrote:

Steve/Jonathan:

The last formal update that I received was July 26, 2016. I have requested written updates many times and have yet to receive them on a consistent basis. I have attempted to get you on a submittal schedule so that I can evaluate the progress that you are making towards completing the removal action. The dates for the written submittals that I am expecting are Friday (email update) and the 10th of the month for the ore formal written updates that would cover the previous months activities. I need a response back to me by Friday, August 9, 2016 to let me know that you guys intend on complying with this request.

Thanks

Gary Moore

[2147891627](tel:2147891627)

From: Moore, Gary
Sent: Wednesday, August 24, 2016 11:01 AM
To: Steve Wilson <swilsonwse@gmail.com>; Jonathan Carroll <jcarroll@lazarusenergy.com>
Cc: Mueller, Brian <mueller.brian@epa.gov>; Gloria-Small Moran <Moran.Gloria-Small@epa.gov>
Subject: RE: Falcon Refinery - Progress Update

Steve/Jonathan:

The last email update on progress that I received was July 26, 2016 concerning the activities to complete the removal action associated with the Site. I have continually asked for updates and usually only

get them when I make a request. I am requesting again that you provide weekly email updates on Friday and a monthly written summary updates by the 10th of each month as in previous monthly updates.

I need an immediate email update from you.

Thanks

Gary Moore

From: Moore, Gary
Sent: Tuesday, July 12, 2016 5:12 PM
To: Steve Wilson <swilsonwse@gmail.com>
Subject: Falcon Refinery - Progress Update

Steve:

The last formal Monthly Progress Report (MPR) was sent to me in April 2013 (see attached). I also added both daily and weekly reports as I had NO CONFIDENCE that work was being done on a consistent basis. Recently, I have only been getting progress updates on a schedule that Lazarus determines is appropriate rather than the EPA. Beginning in August 2016, I would like Lazarus to reinstate these formal Monthly Progress Reports which are due by the 10th of the following month for the previous months activities. I would like a July MPR by August 10, 2016. Additionally, I would like to get email weekly updates on Fridays beginning July 15, 2016 (this Friday) and weekly thereafter. This will give me a comfort on the progress that is being made as I have it as no work has been done since May 2016 to present.

Please focus the reports on the following items:

1. Tank 13: Oil and Oily Water;
2. Tank 7: Oily Water and Sludge;
3. Inspection/Removal of liquids/materials within refinery piping and equipment;
4. Inspection/Removal of Asbestos within refinery (including that covered on the ground);
5. Inspection/Removal of visibly contaminated soils through property; and
6. Final Report.

It is very important to me that know on a weekly basis the status of your work whether or not you are doing anything or not. At the present, I have it down as no work being done since April 2016. I am hopeful that things are moving forward. If adequate activities to complete the site are no going on, you need to provide me a reason why and when those activities will begin again in earnest.

Thanks,

Gary W. Moore (6SF-ER)

U.S EPA Region 6

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